

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----x JEREMY LEVIN and DR. LUCILLE LEVIN,

Plaintiffs,

against

BANK OF NEW YORK, JPMORGAN
CHASE, SOCIETE GENERALE and
CITIBANK,

Defendants.

-----x CITIBANK, N.A.,

Third-Party Plaintiff,

against

█████████████████████ INTERNATIONAL BANK CJSC,

Third Party Defendants,

-----x FILLED UNDER SEAL

Case No. 09 Civ 59000 (RPP)

**ANSWER TO A THIRD-PARTY COMPLAINT
AGAINST "ACCOUNT HOLDERS AND
WIRE TRANSFER PARTIES WITH RESPECT TO
PHASE TWO ASSETS IN ACCORDANCE WITH
THE COURT'S SEPTEMBER 16, 2011 ORDER"**

I.
DENIALS

"█████████████████████ International Bank" CJSC (hereinafter referred to as "Bank" or "████IB"), pointed in Third-party complaint as Third Party Defendant, represented by the General Manager ██████████ and Legal Director ██████████, acting under and authorized by the Charter of the Bank, alleges as follows:

1. Defendant and Third Party Plaintiff Cilibank indicated in paragraph 8 of "Third-Party complaint" that third-party proceeding had been brought by it with respect to "... beneficiaries' banks ... of or in one or more of certain wire transfer so that they may assert their claim, if any, to one or more of those assets" and indicated in schedule A: 1) our Bank as beneficiary bank 2) ██████████ Sazeh (████████) Co. as beneficiary for transfer in amount of ██████████. However such kind of transfers weren't received by our Bank to the accounts of clients at all
2. Also in the third sentence in paragraph 13 of Third-Party complaint is shown that " Third Party Defendant ██████████ International Bank is a corporation organized and existing under the laws of Kyrgyzstan with its principal place of business in Bishkek, Kyrgyzstan." This information is fully true

3. In the same paragraph 13 of Third-Party complaint has pointed (below abovementioned information in forth sentence of paragraph 13) that “..Third-Party Defendant [REDACTED] Sazeh [REDACTED] Co” is a corporation organized and existing under the laws of Iran with its principal place of business in Mashhad, Iran.” This information may be true, but doesn't concern to [REDACTED] IB's client ' [REDACTED] Sazeh [REDACTED]' with the similar to mentioned above name of company, which is also pointed by Citibank as third-Party defendant. Moreover according to [REDACTED] issued by “Statistics State Committee of the Republic of Tajikistan” ([REDACTED]) presented to the Bank by customer ' [REDACTED] Sazeh [REDACTED]' is a corporation organized and existing under the laws of the Republic of Tajikistan with its principal place of business in [REDACTED] [REDACTED]. This fact proofs that our customer ' [REDACTED] Sazeh [REDACTED]' is not registered in Mashhad, Iran and if it were any transfers through Citibank to its account in our bank it did not violent any OFAC's restrictions. As the proof of the above mentioned the copy of the [REDACTED] issued by “Statistics State Committee of the Republic of Tajikistan” is attached.

4. Taking into consideration the abovementioned “[REDACTED] International Bank” CJSC is improper Third-Party defendant because “[REDACTED] Sazeh [REDACTED] Co.” (organized and existing under the laws of Iran with its principal place of business in Mashhad, Iran.) indicated by Citibank as beneficiary for transfer in amount of [REDACTED] isn't a customer of our bank and [REDACTED] IB isn't a beneficiary's bank as Citibank shown in Third-Party complaint. And as [REDACTED] IB pointed above in paragraph 1 such kind of transfer [REDACTED] hasn't been received by our Bank

II.

DEFENSES

In this section, state any legal theories that, even assuming that what plaintiff has alleged in the complaint is true, do not permit the plaintiff to win the case. Attach additional sheets of paper as necessary

WHEREFORE “[REDACTED] Internationala Bank” CJSC asks this Court to dismiss the complaint and enter judgment in favor of “[REDACTED] Internationala Bank” CJSC.

I declare under penalty of perjury that the foregoing is true and correct.

Authorized persons: 1. General manager / [REDACTED]
2. Legal director / [REDACTED]

[REDACTED]
(city) (country) Stamp

Signatures: 1 [REDACTED]

2 [REDACTED]

Address: [REDACTED]

Telephone Number [REDACTED]

Fax Number [REDACTED]

State Committee on Statistics of the Republic of Tajikistan**Main computing center**

to Director

Information letter of granting

of [REDACTED] Sazeh [REDACTED]

BO code and classification types

In accordance with provided constituent documents the MCC of the State Committee of the Republic of Tajikistan accomplished granting (confirmation) of codes of General Classifier of Businesses and Organizations (GCBO) and classification types (governance – National Classifier of Government Entities and Administration (NCGEA), location – National Classifier of Administrative Territorial Entities (NCATE), type of activity – National Classifier of Types of Activity (NCTA), legal form – Legal Organizational Form Code (FC), form of ownership Form of Ownership Code (FOC), type of business - Type of Business Code (C)) business (organization, association).

SAZEH [REDACTED]

es: [REDACTED]

ress:

(zip code, city, street, house)

ephone -

Teletype -

Telex -

Telefax -

Please, in case of the change of the details of the businesses above, send to the MCC of the State Committee of the Republic Tajikistan the corresponding information.

examination of the documents made by

[REDACTED]
(Name)

mp

Head

[REDACTED]
signatureВход с русского на английский язык осуществлялся переводчиком Джалаловым [REDACTED]
пом [REDACTED]translation from Russian to English performed by a translator Dzhallow [REDACTED]
имя [REDACTED]



1633 Broadway
27th Floor
New York, NY 10019-6708

Megan C. Duffy
212.603.6411 tel
212.489.8340 fax

meganduffy@dwt.com

FAX COVER SHEET

Date: March 21, 2012
Time sent: 3:18 PM
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From: Megan C. Duffy
Telephone: 212.603.6411
Fax: 212.489.8340

SEND TO:

Name: Hon. Robert P. Patterson, Jr. Suzelle Smith, Esq. Howard B. Levi, Esq. J. Kelley Nevling, Jr., Esq. Mark G. Hanchet, Esq. Christopher J. Houpt, Esq. Liviu Vogel, Esq. Petek Gunay, Esq.	Company Confirmation number: U.S.D.C. S.D.N.Y. Howarth & Smith Levi Lubarsky & Feigenbaum LLP Mayer Brown LLP Salon Marrow Dyckman Newman Broudy LLP	Fax number: (212) 805-7917 (213) 622-0791 (212) 308-8830 (212) 262-1910 (646) 843 1928 (212) 806-6006 (202) 589-1721 (202) 799-5000 (212) 335-4501 (202) 463-2999 (917)-591-5245 (202) 207-1041 (212) 239-4310
Curtis C. Mechling, Esq. James Bernard, Esq.	Stroock & Stroock & Lavan LLP	
Anne Pennock Kaplan, Esq. Thomas Fortune Fay, Esq.	Fay Kaplan Law, PA	
Richard Kremen, Esq. Dale K. Cathell, Esq.	DLA Piper LLP (DC)	
Barbara L. Seniawski, Esq. Cary Brian Samowitz, Esq.	DLA Piper LLP (NY)	
Noel J. Nudelman, Esq.	Heideman Nudelman and Kalik, PC	
Keith Fleischman, Esq.	Fleischman Law Firm	
Jane Carol Norman, Esq.	Bond & Norman, PLLC	
James P. Bonner, Esq. Patrick L. Rocco, Esq. Susan Davies, Esq.	Stone Bonner & Rocco LLP	

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COMMENTS:

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